PATENT

Attorney Docket No. 227833 Client Reference No. JF-133US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Sunami et al.

Group Art Unit: 1614

Application No. 10/802,220

Examiner: Unassigned

Filed: March 17, 2004

For: PHARMACEUTICAL COMPOSITIONS

OF CETP INHIBITORS

INFORMATION DISCLOSURE STATEMENT

Mail Stop Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

The Information Disclosure Statement is being filed:

within any one of the following time periods: (a) within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d); (b) within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 of an international application; (c) before the mailing date

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		st Office Action on the merits; or (d) before the mailing of a first Office Action e filing of a request for continued examination under 37 CFR 1.114.
	37 CFR	a), (b), (c) or (d) above, but before the mailing date of a final action under 1.113, a Notice of Allowance under 37 CFR 1.311, or an action that ise closes prosecution in the application, and includes <i>one</i> of:
		the Statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).
	\Box	the fee of \$180 set forth in 37 CFR 1.17(p) (see "Fees" below).
	under 3 and on 37 CFF	ne mailing date of a final action under 37 CFR 1.113 or a Notice of Allowance 37 CFR 1.311, or an action that otherwise closes prosecution in the application, a or before payment of the issue fee, and includes the Statement under R 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180 as h in 37 CFR 1.17(p) (see "Fees" below).
	paymen contain 37 CFF \$180 as NOTE: May 29,	ne mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before int of the issue fee, and within thirty days of receiving each item of information led in the Information Disclosure Statement, and includes the Statement under R 1.704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of set forth in 37 CFR 1.17(p) (see "Fees" below). This is for original applications except applications for a design patent, filed on or after 2000, wherein a paper containing only an Information Disclosure Statement in compliance CFR 1.97 and 1.98 is being filed.
Copie	s of the	References
	Copies herewi	of all of the references listed on the enclosed Form 1449 are enclosed th.
\boxtimes	patents enclose	atent application was filed after June 30, 2003. Accordingly, copies of U.S. and patent applications that are listed on the accompanying Form 1449 are not ed herewith (see Official Gazette Notice of August 5, 2003). Copies of other ces identified on the accompanying Form 1449 are enclosed herewith.
\boxtimes	relevan an Eng action degree	ed to each reference not in the English language is a concise explanation of the ace pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or dish-language abstract, or an English-language version of the search report or by a foreign patent office in a counterpart foreign application indicating the of relevance found by the foreign office is being submitted in lieu of a concise ation of the relevance pursuant to 37 CFR 1.98(a)(3).
\boxtimes	А сору	of the foreign search report is enclosed herewith.
		ferences listed on the enclosed Form 1449 were previously identified in the

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furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:

U.S. APPLI	CATIONS	Status (check one)		
U.S. APPLICATIONS	U.S. FILING DATE	PATENTED	PENDING	ABANDONED
1.				
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Statei	ement under 37 CFR 1.97(e)				
	The undersigned hereby stated Information Disclosure Statem foreign patent office in a count months prior to the filing of the	ent was fi erpart fore	rst cited in a gn patent app	ny commun lication not r	ication from
	The undersigned hereby state Information Disclosure Stateme office in a counterpart foreign undersigned after making reason Information Disclosure Statem 37 CFR 1.56(c) more than the Disclosure Statement.	nt was cited patent ap nable inquinent was	I in a communication, and ry, no item of a known to any	ication from a , to the known information of y individual	a foreign pater owledge of the contained in the designated i
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Fees	S				
	No fee is owed by the applicant) is enclosed be	erewith	

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IDS (Revised 5/21/03)

Metho	od of Payment of Fees
	Attached is a check in the amount of \$. Charge Deposit Account No. 12-1216 in the amount of \$. (A duplicate copy of this communication is enclosed for that purpose.)
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	John Kilyk, Jr., Reg. No. 36,763 LEYDIG, VOIT & MAYER, LTD. Two Prudential Plaza, Suite 4900 180 North Stetson Avenue Chicago, Illinois 60601-6780 (312) 616-5600 (telephone) (312) 616-5700 (facsimile)
Date:	October 8, 2004
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States envelo	I hereby certify that this INFORMATION DISCLOSURE STATEMENT (along with ocuments referred to as being attached or enclosed) is being deposited with the United Postal Service on the date shown below with sufficient postage as first class mail in an ope addressed to: Mail Stop , Commissioner for Patents, P.O. Box 1450, Alexandria, 2313-1450.
Date:_	Octobe 8, 2004 Jolkfy

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	(000 00)		,	LVM Reference Number	227833	
Sheet	1	of	4	Attorney Docket Number	JF-133US	

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Examiner Signature /Anna Pagonakis/ Date Considered 04/04/2008

^{*} A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).

An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a concise explanation of relevance under 37 CFR 1.98(a)(3).

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

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Examiner Signature	/Anna Pagonakis/	Date Considered	04/04/2008	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	3	of	4

Complete if Known			
Application Number	10/802,220		
Filing Date	March 17, 2004		
First Named Inventor	Sunami et al.		
Group Art Unit	1614		
Examiner Name	Unassigned		
LVM Reference Number	227833		
Attorney Docket Number	JF-133US		

ſ	FOREIGN PATENT DOCUMENTS								
ı		Foreign Patent Document					Translation		
	Examiner Initials	Doc. No.	Office	Application or Patent Number	Kind Code	Name of Patentee or Applicant	Date of Publication	Yes	No*+
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Examiner Signature	/Anna Pagonakis/	Date Considered	04/04/2008	

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## **INFORMATION DISCLOSURE** STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	4	of	4

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Application Number	10/802,220		
Filing Date	March 17, 2004		
First Named Inventor	Sunami et al.		
Group Art Unit	1614		
Examiner Name	Unassigned		
LVM Reference Number	227833		
Attorney Docket Number	JF-133US		

OTHER - NON PATENT LITERATURE DOCUMENTS  Examiner   Doc   Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item   Transla					
Examiner Initials	Doc. No.	(book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number (s), publisher, city and/or country where published.	Yes	No*+	
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/A.P./	DT	DE GROOTH et al., XIV International Symposium on Drugs Affecting Lipid Metabolism, 47 (2001)			
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<del>/A.P./</del>	DΖ	MAEDA et al., Bioorganic & Medicinal Chemistry Letters, 14, 2589-2591 (2004)			
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